

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HAROLD KLEIMAN, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

RHI ENTERTAINMENT, INC., ROBERT A.
HALMI, JR., and WILLIAM J. ALIBER,

Defendants.

Civil Action No. 1:09-cv-08634 (AKH)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Declaration of Jeff G. Hammel, dated May 3, 2010, and the accompanying Memorandum of Law, the undersigned hereby moves this Court on behalf of defendants RHI Entertainment, Inc., Robert A. Halmi, Jr. and William J. Aliber, before the Honorable Alvin K. Hellerstein, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, in Courtroom 14D, New York, New York 10007, for an order dismissing the Amended Class Action Complaint in its entirety and with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: May 3, 2010
New York, New York

Respectfully submitted,
LATHAM & WATKINS LLP

By: /s/ Jeff G. Hammel
James E. Brandt
Jeff G. Hammel

885 Third Avenue
New York, New York 10022
Telephone: (212) 906-1200
Facsimile: (212) 751-4864

Attorneys for Defendants